

510 VEHICLE TOWING AND RELEASE

510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Columbia Police Department and pursuant to state law (§ 304.155, RSMo; § 304.157, RSMo; § 304.158, RSMo).

510.2 RESPONSIBILITIES

510.2.1 COMPLETION OF CRIME INQUIRY AND INSPECTION REPORT FORM

Department members requesting towing of a vehicle shall complete a Crime Inquiry and Inspection Report Form that includes written authorization pursuant to § 304.155.3, RSMo for the tow truck operator to possess the vehicle and a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be submitted to the Records Unit as soon as practicable after the vehicle is stored.

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or for information should inquiries be made.

510.2.2 ACCEPTANCE OF ABANDONED PROPERTY REPORT FORM

Department members shall accept Abandoned Property Reports, Form 4669 from a towing company that has removed a vehicle from private property (§ 304.157.7, RSMo). The report shall be signed by an officer and a copy provided to the towing company.

Department members receiving an Abandoned Property Report shall search the records of the Department of Revenue and provide the towing company with the latest owner and lien holder information (§ 304.157.8, RSMo).

510.2.3 REMOVAL OF A VEHICLE DISABLED IN A TRAFFIC CRASH

When a vehicle has been involved in a traffic crash and must be removed from the scene, the officer shall ask the driver if he/she has a preferred towing company. If the driver does, the tow request is to be done by the driver and not through Public Safety Joint Communications. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Public Safety Joint Communications.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a crash, the officer shall request the dispatcher to call a company selected from the rotational list of towing companies. The officer will then conduct an inventory and store the vehicle using a Crime Inquiry and Inspection Report.

510.2.4 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with parking regulations.

510.2.6 RECORDS UNIT RESPONSIBILITY

Crime Inquiry and Inspection Reports and Abandoned Property Reports shall be promptly filed so that they are immediately available for release or review should inquiries be made.

Records Unit personnel should promptly enter pertinent data from a completed Crime Inquiry and Inspection Report or an Abandoned Property Report into the National Crime Information Center (NCIC) and Missouri Uniform Law Enforcement System (MULES) to determine if the vehicle has been reported stolen (§ 304.155.6, RSMo; § 304.157.7, RSMo). In addition, Administrative Support Bureau personnel should report the towing and related information to the Department of Revenue, Motor Vehicle Bureau.

Administrative Support Bureau personnel shall notify the registered owner and any lien holder of abandoned vehicles in writing within five working days after removal of the vehicle (§ 304.158.1, RSMo). The notice shall indicate the vehicle was towed, the grounds for the towing and the place where the vehicle is being stored.

510.3 TOWING SERVICES

The City of Columbia designates a tow company(ies) to be used in the following situations:

1. When a city owned vehicle requires tow services.
2. When a vehicle is being held or needs to be relocated for evidence in connection with an investigation.

510.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle on the roadway is arrested, provided the vehicle does not pose a hazard, the arrestee should be given the following choices concerning the safekeeping of the vehicle:

1. Tow the vehicle by a local wrecker service
2. Secure the vehicle as much as possible
3. Relinquish control to a reasonably available person

The vehicle, however, shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case regardless of the arrestee's request.

Whenever a vehicle is located on private property when the person in charge or in control of a vehicle is arrested and no one to relinquish controls is reasonably available, the property owner will be given the choice to allow the vehicle to remain on the property or have it removed. If the property owner refuses to allow the vehicle to remain on the property, it shall be towed regardless of the arrestee's request.

510.5 VEHICLE INVENTORY

All property in a vehicle towed at the request of a department employee shall be inventoried and listed on the Crime Inquiry and Inspection Report. This includes the trunk and any obvious compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. Conducting such an inventory shall only be for the intended purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to:

- Obtaining access to the locked container from the owner,
- Placing the locked container into safekeeping ,
- Obtaining a written waiver of responsibility for the contents of the locked container.

510.6 PRESERVATION OF EVIDENCE

An officer towing a vehicle who has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, should ensure that all legally required and reasonably necessary efforts to preserve the evidence, including but not limited to, safe storage, are taken until the evidence is released to the owner or otherwise disposed of according to law.

510.7 SECURITY OF VEHICLES AND PROPERTY

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, then the personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.